

# *Concerning Capitular Masonry*

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*In the Province of Alberta and the  
Issues Between the Grand  
Chapters of Canada  
and Alberta*



A Statement and Discussion of the Facts and  
Masonic Jurisprudence by "A Workman  
from the Quarries"

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Concurred in and endorsed by

HIS HONOR JUDGE H. C. TAYLOR

Past Grand Master of the Grand Lodge of Alberta, Past Grand  
Superintendent of the Grand Chapter of Canada

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FEBRUARY, 1916



THE following statement concerning Capitular Masonry in the Province of Alberta and the issues between the Grand Chapter of Canada and Alberta has been handed to me for perusal and to make any comment thereon I may wish.

In the first place I may say that I have carefully compared every quotation and verified every statement of fact, and I desire to congratulate "The Workman from the Quarries" on his fair and convincing arguments. He will be found to be moderate and impersonal in his language, thus increasing the strength of his presentation of facts and his arguments based thereon.

With great clearness he has proven that the Most Excellent the Grand Z. in his address to the Grand Chapter of Canada in 1915 is mistaken in not a few of his statements and also, in consequence, in the conclusions he draws.

To my mind the strongest and most conclusive argument is near the end, the principle that "where there is a Grand Lodge, a Grand Chapter may of right follow," as recognized and adopted by the Grand Chapter of Canada in 1870, and reiterated and confirmed in 1871, places the Grand Chapter of Canada by its refusal of recognition of the Grand Chapter of Alberta in the position of a tribunal which is now reversing its previous decision.

So far as I can discern, practically the only authority that the Grand Chapter of Canada has for withholding recognition, is that the Grand Chapter of Alberta did not make a formal request to it for consent before proceeding with its organization. I take this to be a lack of courtesy only on the part of Alberta and surely cannot be urged as being sufficient ground to warrant the Grand Chapter of Canada in refusing recognition. I cannot do better than quote the words of the M.E. Grand Z. of the Grand Chapter of Canada in his address in the year 1871 while dealing with a similar case, that of Nova Scotia, "It is the wisest course to look this contingency full in the face and . . . carry out the change in a truly masonic and fraternal way—giving and receiving, bearing and forbearing, making mutual concessions if needful, and avoiding heartburnings and strife, scorning wordy warfare, but wishing instead God Speed and prosperity to all concerned. These are noble words and I am convinced that if the two Grand Chapters will only act in this matter in the true masonic spirit there will soon be an end to the almost intolerable state of affairs that now prevails in Capitular Masonry in this Province.

H. C. TAYLOR.

Edmonton, Alberta, February, 1916.



## Concerning Capitular Masonry in the Province of Alberta, and the Issues Between the Grand Chapters of Canada and Alberta

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This whole question, while of moment to Royal Arch Masons in Alberta and of importance, not only as between the above two Grand Chapters themselves, but to other Grand Chapters as well, can be narrowed down to a few straight, main issues which are unquestionably capable of being settled in a proper, orderly and masonic manner, and which, if once settled, will necessarily dispose of many of the controversies arising out of these issues. The burden of wrongdoing and unmasonic conduct would then fall and rest upon the shoulders of those responsible for the existing unseemly state of affairs.

Leaving out of the question for the moment the numerical strength of those supporting or opposing the Alberta Grand Chapter and also the legality or illegality of such Grand Chapter, there are at least a number of Royal Arch Masons in Alberta who urge that their rights and privileges, as well as those of the Grand Chapter of Canada have been violated, and who having, as was their duty, reported such violation to their Grand Chapter, that Grand body has taken up and espoused their cause. In consequence of such violation the Grand Chapter of Canada not only denies recognition to the Alberta Grand Chapter but also appeals to other Grand Jurisdictions to refuse them recognition.

On the other hand there are a number of Royal Arch Masons in Alberta who claim the legal erection of a Grand Chapter in this Province, and who having transferred their allegiance to it, not only deny the violation of the rights and privileges of any of their companions or of the Grand Chapter of Canada itself, but also seek recognition by the parent Grand Chapter as well as that of other Grand Chapters. In the meantime the breach widens, feeling on either side intensifies and matters purely masonic have become the subject of litigation in civil courts, in the suits of Lindsay vs. Empey et al and Hill vs. Allen et al.

The violation of the rights and privileges of Companions (whether few or many) in any jurisdiction is not to be lightly or passively regarded and certainly of no less importance are the rights and privileges of Grand Chapters themselves, including the prerogative of bestowal or withholding fraternal recognition.

It is not sufficient for the Grand Chapter of Alberta to simply state that it has been regularly erected, and having superseded the former Grand Chapter, which was in lawful occupation of the territory, that it is therefore entitled to recognition. These statements must be founded upon and borne out by the facts. Nor on the other hand is it sufficient for either few or many Companions or for another Grand Chapter itself to challenge, simply by unsupported statements, the regularity of the formation and legal existence of a new or superseding Grand Chapter. Their statements must also be supported by the facts; and if the disputants cannot amongst themselves adjust a

settlement of their own differences, the other outside Grand Jurisdictions cannot and will not attempt to do so for them without the fullest possible information from both sides. In fact other outside Grand Jurisdictions must stand somewhat in the position of jurors who are charged with a duty of receiving, considering and weighing all statements of fact or material submitted or otherwise obtainable before pronouncement of their verdict. Therefore, in this dispute, if sufficient time has elapsed to permit all reasonable endeavors of amicable adjustment to be made, without outside intervention, or if an appeal has been made for either recognition or discountenance, or if for any other reason it has become the duty or privilege of outsiders to intervene by way of friendly advice, recognition or discountenance, the primary and most important of all questions necessarily emanating from such intervention is "What are the essential or governing facts?" So long as the facts remain unsettled, just so long must the disputants remain at issue, unless of course one or other is willing to give in and accept as correct the other's contentions. And while the facts are at issue or are not so self-evident as to remove reasonable doubt, no fair disputant, particularly in masonic matters, will either seek or accept a snap verdict which cannot be supported by facts, much less will any fair disputant seek or accept judgment upon misrepresentation of facts.

Again, it not infrequently happens that upon a given state of facts there is honest difference of opinion upon the interpretation and application of the law, which difference of opinion can best be reconciled by solicited or proffered outside intervention. However, in this connection, it should be observed that while everyone is presumed to know the law, there is no such presumption with respect to a knowledge of the facts. Therefore a misguidance or misdirection with respect to masonic jurisprudence may in a measure be excusable because of presumed equal knowledge, but wilful misguidance or misdirection upon an erroneous statement of facts cannot for a moment be tolerated.

Dealing firstly then with the issues upon questions of fact there should be grouped together the essential or governing facts which are not at issue and which, if disputed, will be masonically and judicially noticed and accepted without proof.

(1) The Grand Chapter of Canada had been for many years in undisputed legal Masonic occupation of the territory known as the Province of Alberta;

(2) In 1905 political autonomy was granted to Alberta when it became and has since remained a Province;

(3) Shortly after Alberta became a Province, a Grand Lodge of A. F. and A. Masons for Alberta was formed and has since enjoyed continuous prosperity;

(4) The City of Edmonton, the capital of Alberta, is distant from Toronto, the capital of Ontario, about 2,100 miles;

(5) The Grand Chapter of Canada at the time of the formation of the Grand Chapter of Alberta did not, as its name might imply, hold jurisdiction over the whole of Canada. There were several other Grand Chapters within the Dominion of Canada; neither was there a General Grand Chapter within the Dominion of Canada;

(6) On and prior to the 29th day of May, 1914, there were fourteen Royal Arch Chapters within the Province of Alberta, eleven of which were under warrant from the Grand Chapter of Canada and the remaining three under dispensation from that Grand Body. The Chapters holding warrants were:—Alberta, No. 106; Mount Horeb, No. 172; Bow Valley, No. 188; Shekinah, No. 158; Bekah, No. 176; North Star, No. 118; Otuskwan, No. 179; Calgary, No. 189; Assiniboia, No. 126; Golden West, No. 159; Kether, No. 177. The Chapters under dispensation were Keystone, Vermilion and Capital City.

There may also be grouped together some of the allegations or issues none the less essential and governing in their nature which may not be masonically noticed or accepted without proof, but which

are capable of proof or of being established by proceedings, books, records, notices, resolutions and admissions. This group may be taken up and conveniently dealt with as follows:

Firstly, the proceedings of the Grand Chapter of Alberta in support of that Grand Chapter's right to exist, over that of the above-named eleven warranted Chapters the authority and credentials of nine were satisfactory and that of the nine chapters thus entitled to vote, there was a substantial majority in favor of the erection of the Grand Chapter of Alberta and that such Grand Chapter was duly and regularly erected, thereby becoming entitled in the ordinary course of events to recognition by the mother Grand Chapter as well as by other Grand Chapters.

All these averments have been impeached in very strong language by Judge MacWatt, the then Grand Z of the Grand Chapter of Canada and his address having been adopted by that Grand Body, these two Grand Chapters are at once placed at issue upon and with respect to these essential or governing facts, the language of the Grand Z at page 17 being:—

"On referring to the very full account of what took place at the Convention set out in Appendices 4 and 5, you will see that if the leaders of the revolt adhered to truth, the vote should have been reversed, four for and five against."

This language not only raises a straight issue; but it goes to the very groundwork and foundation of the Grand Chapter of Alberta in impeaching the veracity of the leaders in the movement. Should this issue be allowed to remain word against word, or should the true facts be established and made known at the earliest possible moment? If there is to be found material in the quarries which, if brought up for inspection will speak for itself, is it not the duty of Companions in Alberta to present that material? The Past Grand Z has passed and accepted Appendices 4 and 5 to his annual address (pages 31 to 37) as material upon which to base the above statement and many of his actions and arguments.

Dealing with these Appendices in their order and setting the statements therein contained side by side with the statements and averments, as found in the proceedings of the Grand Chapter of Alberta, and investigating and weighing these statements with recognized standards in the broad daylight of masonic truth, and with information at hand which will be masonically and judicially accepted the world over, what will be the net result and to what extent is there justification for such strong language as "non-adherence to the truth," "rebels," "intimidators," "misleaders," "spreaders of falsehoods," "breakers down of doors," etc.? The first important question, therefore, to be decided is, did the Grand Chapter of Alberta as alleged by it, start out with a majority of the Chapters in Alberta entitled to vote on the question of its formation, or was it a fact, as stated by the Grand Z, that there were four for the formation of the Grand Chapter and five against it? Upon a settlement of this fact much will depend, including the rightful or wrongful use of the words, "If the leaders of the revolt adhered to the truth."

It is admitted by both Grand Chapters that on the 29th day of May, 1914, there were the eleven warranted Chapters, which have already been named, and the three Chapters under dispensation. It will be masonically noticed that Chapters under dispensation have no right to vote.

Quoting from the proceedings of the Grand Chapter of Alberta, Page 4:

"On motion of Right Excellent Companion S. E. Cornell, Past Principal Z. of North Star Royal Arch Chapter, seconded by Excellent Companion A. West, First Principal Z. of North Star Royal Arch

"Chapter, the Chairman appointed the following Excellent Companions  
 "the committee to examine and report upon the Credentials of dele-  
 "gates claiming seats in this Convention, viz.:

J. S. Lambert	-----	Z. No. 176 G.R.C.
John M. Empey	-----	Z. No. 106 G.R.C.
A. West	-----	Z. No. 118 G.R.C.

"Excellent Companion Lambert, from the Committee on Creden-  
 "tials, reported that the following Companions were present duly ac-  
 "credited from their respective Chapters, to occupy seats and take  
 "part in the proceedings of the Convention, viz.:

#### ALBERTA CHAPTER, NO. 106, G.R.C.

Ex. Companion John M. Empey	-----	Z.
Ex. Companion Victor A. Bowes	-----	H.
Very Ex. Companion Melvin M. Downey	-----	P. Z.
Ex. Companion George J. Davis	-----	P. Z.
Ex. Companion D. G. Campbell	-----	P. Z.
Rt. Ex. Companion George Hill	-----	P. Z.
Very Ex. Companion T. Fred English	-----	P. Z.
Rt. Ex. Companion J. N. Rankin	-----	P. Z.
Rt. Ex. Companion N. J. Lindsay	-----	P. Z.
Rt. Ex. Companion A. W. R. Markley	-----	P. Z.
Rt. Ex. Companion J. H. Argue	-----	P. Z.

#### NORTH STAR CHAPTER, NO. 118, G.R.C.

Ex. Companion A. West	-----	Z.
Rt. Ex. Companion S. E. Cornell	-----	P. Z.

#### SHEKINAH CHAPTER, NO. 158, G.R.C.

Ex. Companion John Jones	-----	H.
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#### GOLDEN WEST CHAPTER, NO. 159, G.R.C.

Ex. Companion A. A. Ballachey	-----	Z.
Ex. Companion G. D. Stanley	-----	P. Z.

#### BEKAH CHAPTER, NO. 176, G.R.C.

Ex. Companion J. S. Lambert	-----	Z.
Ex. Companion D. L. Murison	-----	H.
Ex. Companion T. C. Bruce	-----	P. Z.

#### KETHER CHAPTER, NO. 177, G.R.C.

Rt. Ex. Companion A. C. Kemmis	-----	P. Z.
Ex. Companion John Kennis (Kemmis)	-----	P. Z.

#### OTUSKWAN CHAPTER, NO. 179, G.R.C.

Ex. Companion Gaius Allen	-----	H.
Ex. Companion Thos. Rankine	-----	P. Z.
Rt. Ex. Companion S. Y. Taylor	-----	P. Z.

#### BOW VALLEY CHAPTER, NO. 188, G.R.C.

Ex. Companion A. H. Spurr	-----	Z.
Ex. Companion T. H. Irvine	-----	J.
Ex. Companion A. R. Yates	-----	P. Z.

#### CALGARY CHAPTER, NO. 189, G.R.C.

Ex. Companion J. E. Johnson	-----	Z.
Ex. Companion F. R. Jelfs	-----	H.
Ex. Companion Rev. Peter A. Walker	-----	J.

On motion of Right Excellent Companion A. W. R. Markley,  
 Past First Principal Z. of Alberta Royal Arch Chapter, seconded by  
 Excellent Companion A. H. Spurr, First Principal Z of Bow Valley  
 Royal Arch Chapter, it was

RESOLVED, That the report of the Credential Committee be  
 received and the Companions and Chapters therein named be entitled  
 to seats and votes in this Convention, and that the Committee have  
 leave to sit again.

Comparing with this the report of Companion A. C. Kemmis, Appendix 4, upon which the Grand Z. relies, we find his summary of the vote in these words:

"The Motion was then put by the Chairman, which vote resulted  
"as follows:—

"Alberta, in favor.

"North Star, in favor.

"Assiniboia, no vote allowed.

"Shekinah, Against.

"Golden West, refused to vote.

"Rt. Ex. Companion Ballachey stating that as the resolution of  
"his Chapter provided for the consent of the Grand Chapter, he could  
"not vote for the motion, but would not vote against it under the  
"circumstances.

"Bekah, in favor.

"Kether, against.

"Otuskwan, in favor.

"Bow Valley, U.D., in favor.

"Calgary, U.D., in favor.

"Mount Horeb resolution read by the Chairman and counted as a  
"vote in favor, although no representative was present.

"The motion was therefore carried by 7 to 2, with one Chapter  
"refusing to vote and the other vote refused.

"The meeting then adjourned for lunch.

"Those Chapters remaining under the jurisdiction of the Grand  
"Chapter of Canada and representatives of Shekinah, Kether, Assini-  
"boia and Golden West did not attend the afternoon session."

A. C. KEMMIS,

P. G. S. 17A.

It is to be observed that Companion Kemmis refers to Bow Valley Chapter and Calgary Chapter as being under dispensation; but upon reference to the Grand Z's address, page 18, it will be found that both of these Chapters were warranted respectively as Nos. 188 and 189 on the Grand Registry of Canada.

From Companion Kemmis' report, the following warranted Chapters, namely:—Alberta, North Star, Otuskwan, Bekah, Bow Valley and Calgary voted in favor of the formation of the Grand Chapter and the following warranted Chapters, namely:—Shekinah and Kether voted against its formation, with the vote of the only remaining warranted Chapters, namely Assiniboia not allowed, Golden West refusing to vote and Mt. Horeb having no representative. One is therefore totally unable to see how Appendix 4 can in any sense support the Grand Z's statement at page 17 that there was a majority of one against the formation of the Grand Chapter. Rather does not this Appendix unquestionably support the contention and position of the Grand Chapter of Alberta?

Then referring to Appendix 5, page 36. Under ordinary circumstances it would be of little, if any, value in supporting any statement since it is unsigned; but the Grand Z having referred to it in support of his statement, it should at least be considered to the extent of ascertaining in how far it supports him. In the very opening remarks, we have these words:—

"I enclose you herewith a report of the meeting in Calgary,  
"which as you are doubtless already aware, resulted in a victory for  
"those in favor of a local Grand Chapter."

Unless the author of this unsigned report further on in the same document contradicts his opening statement "the meeting resulted in a victory for those in favor of a local Grand Chapter," it is difficult to understand why that Appendix should be quoted as an authority for a majority of one against the formation of the Alberta Grand Chapter. But suppose the author does contradict himself (which one fails to find anywhere in the report), at the best we would have a contradictory and unsigned document in support of a direct challenge by the Grand Z. to the veracity of the leaders of the movement in point of the number of Chapters for and against.

Since it is so unusual to find a man in high office, whether of State, Judicial or Masonic affairs, using language of this extreme character and repeating and emphasizing it throughout his whole address, one is driven to the necessity of looking further into and analyzing for himself the whole information which the Grand Z. had at hand (and which, as he says, is all disclosed in the proceedings, correspondence and various Appendices) in the hope of finding which side, if either, may be charged with a misguidance or misdirection upon the facts.

An analysis and rearrangement of Excellent Companion Kemmis' (Appendix 4) who spoke and voted against the formation of the Grand Chapter of Alberta, "The motion was declared carried by 7 to 2, with one Chapter refusing to vote and the other vote being refused." This accounts for the whole eleven warranted Chapters. The unsigned and therefore unauthenticated document (Appendix 5) says: "The meeting resulted in a victory for those in favor of the local Grand Chapter," and since these statements in Appendices 4 and 5 are diametrically opposed to the Grand Z's finding upon the documents, he must of necessity have found something else upon which to base his challenge, unless he is to stand clearly chargeable with a misguidance or misdirection upon the facts.

An analysis and rearrangement of Excellent Companion Kemmis' report is as follows:—

**Those in favor of the Grand**

**Chapter Were:**

Alberta.  
North Star.  
Bekah.  
Otuskwan.  
Bow Valley.  
Calgary.

**Those Against Were:**

Shekinah.  
Kether.

**Those Chapters which did not Vote or whose Votes were not Allowed were:**

Golden West:—Refusing to vote either way.

Assiniboia:—No vote allowed.

Mount Horeb:—With resolution in favor, but having no representative.

With this analysis and rearrangement in mind, and referring back to the proceedings of the Grand Chapter of Alberta, we find that the following Chapters represented by their principal officers and with satisfactory credentials were:

Alberta.  
Shekinah  
Bekah.  
Otuskwan

North Star.  
Golden West.  
Kether  
Bow Valley, and

Calgary.

and it will be seen that the votes of neither Assiniboia nor Mt. Horeb were considered. With all this in mind, Appendix 8 to the Grand Z's address is particularly interesting as evidence of the actual facts that the Grand Z. was seized of, because out of the nine Chapters with credentials and entitled to vote on the formation of a Grand Chapter, the Grand Z. declared "inoperative and without authority the warrants formerly issued to the Companions of the following Chapters:—

Alberta.  
Calgary.  
Mt. Horeb.

Otuskwan  
North Star  
Bekah, and

Bow Valley

and that those warrants were null and void."

It is difficult to understand why the Most Excellent the Grand Z. should have declared the warrants of the above seven warranted Chapters null and void when as a plain, mathematical proposition at least a number of them were required to bear out his conclusion from Appendices 4 and 5 that there were four for the formation and five against it. However, it is perhaps possible to still further clear up the question of what was actually before the Grand Z. when arriving at his conclusion, by further reference to Appendices 4 and 5. In Appendix 5 the undisclosed author makes the statement that "Lambert, First Principal of Bekah, had no authority from that Chapter to act." This statement is in direct contradiction to a statement of A. C. Kemmis in Appendix 4, wherein he says: "The Secretary read resolutions in favor of the formation of a Grand Chapter from the following Chapters, namely:—Alberta, No. 106; North Star, No. 118; Mount Horeb, No. 172; Bow Valley U.D.; Calgary U.D.; Otuskwan No. 179 and Bekah, No. 176." In order that there may be no mistake as to which of these Appendices is correct with respect to the authority of Companion Lambert from Bekah Chapter, we quote the credential and authorization of Bekah Chapter which, according to the report of Companion Kemmis (Appendix 5), with the other credentials and authorizations, was produced and read at the meeting at the formation of the Grand Chapter of Alberta:

**"BEKAH CHAPTER, NO. 176:**

**"RESOLVED**, that this Chapter hereby express:

**FIRST**—Its loyalty and devotion to the Grand Chapter of Canada, and

**SECOND**—The opinion that in the judgment of the Companions of this Chapter, the time has arrived when immediate steps should be taken to form a Grand Chapter in the Province of Alberta, and that a meeting of the duly accredited representatives of the various Chapters be held at Calgary, Alta., on Friday, May 29th, 1914, for the purpose of forming a Grand Chapter for this Province.

(Seal)

**BEKAH R.A. CHAPTER** (Signed) J. S. LAMBERT, First Principal.  
No. 179

Inst. 1910, (Signed) S. M. FRASER, Scribe E.  
Macleod, Alberta.

This credential and authorization is one of the nine credentials and authorizations referred to in the proceedings on the formation of the Grand Chapter of Alberta and which nine credentials and authorizations were admitted and filed as Exhibits in the civil action of Lindsay vs. Empey et al, and they verify Excellent Companion Kemmis' statement regarding the resolutions of seven of the eleven warranted Chapters being in favor of the formation of the Grand Chapter of Alberta.

It will therefore be noted that the very Chapters which had forwarded resolutions in favor of the formation of a Grand Chapter, according to Appendix 4, were the identical seven Chapters whose warrants were declared null and void, it being borne in mind, however, that Companion A. C. Kemmis was in error when he referred (in his report, Appendix 4) to Bow Valley Chapter and Calgary Chapter as under dispensation, these Chapters having been warranted and registered as Nos. 188 and 189 respectively on the Grand Registry of Canada.

From the foregoing examination of the reports adopted by the Grand Z. as supporting his statements and actions and from the actions of the Grand Z. based upon such reports, one fails to find any justification for the statement of the Grand Z. that "On referring to the very full account of what took place at the Convention set out in Appendices 4 and 5, you will see that if the leaders of the revolt adhered to truth, the vote should have been reversed, four for and five against," and that being so, his challenge to the veracity of the

Alberta Companions would appear to be not only unjustifiable in point of fact, but should be recalled as a misdirection or misguidance upon the facts.

Secondly, at page 25, the Most Excellent the Grand Z. of the Grand Chapter of Canada in his address says:—"Having formed their Grand Chapter and selected officers with only **seventeen** present, they elected **thirty-three** officers."

Opposed to this statement we have the statement contained in the proceedings of the Grand Chapter of Alberta (hereinbefore quoted) that there were thirty-three Companions present duly accredited from their respective Chapters to occupy seats and take part in the proceedings of the Convention, of whom twenty-four were present at the election of officers, and that apart from the Executive Committee, they elected only eleven officers, the remaining officers being appointed.

Again the two Grand Chapters are at issue upon a fact more or less important and having some bearing upon the regularity of the initial proceedings of the Grand Chapter of Alberta, and if the truth of either of the opposing statements can be established it is perhaps worth while.

Appendices 7 and 8 to the Grand Z's address throw some light upon this issue. Appendix 7 is an official communication over the hand of George J. Bennett, Grand Scribe E. of the Grand Chapter of Canada, from which the following is quoted:—

"And whereas, these Companions did convene in the City of Calgary on the 29th May, 1914, an assembly of the representatives of "several of the Alberta Chapters and did then and there, without any "reference or appeal for sanction or other communication whatsoever "to the governing Grand Body, proceed to form a so-called Grand "Chapter for the Province, elect and instal officers and otherwise "exercise the prerogatives and functions of a regularly authorized "Grand Chapter, their pledges of allegiance and solemn obligation to "the contrary":

and from Appendix 8:—

"I am also to inform you that the following who participated actively in the formation of the spurious Grand Chapter have been declared by the M. E. the Grand Z. suspended from the rights and privileges of regular Royal Arch Masonry pending further action by Grand Chapter at its next annual Convocation:

R. E. Companion	Stephen Y. Taylor.
"	J. N. Rankin.
"	S. E. Cornell.
"	J. H. Argue.
"	A. W. R. Markley.
V. E.	Melvin M. Downey.
E.	J. M. Empey.
"	G. J. Davis.
"	V. A. Bowes.
"	T. F. English.
"	Arch. West.
"	F. S. Watson.
"	T. C. Bruce.
"	G. Allen.
"	J. S. Lambert.
"	D. L. Murison.
"	A. H. Spurr.
"	A. R. Yates.
"	T. H. Irvine.
"	J. E. Johnson.
"	F. R. Jelfs.
"	Peter A. Walker.
"	D. G. Campbell.
"	Robert Patterson.
"	E. D. H. Wilkins."

Comparing this list of suspended members with the names of those who were present at the Convention as hereinbefore named, it will be observed that out of the thirty Companions present there were at least twenty-two suspended and the number of those who were

present at the Convention and who were not suspended is largely accounted for in the Companions who were representatives of the two Chapters which were opposed to the formation of the Grand Chapter and the Companions of Golden West Chapter, No. 159, which remained neutral.

From the foregoing would it not appear that in suspending twenty-five Companions who participated actively in the formation of the (spurious) Grand Chapter and recognizing the presence of those Companions of the Chapters which opposed its formation and upon whose statements of the proceedings he relies, the Grand Z. himself sufficiently questions his own statement that "having formed their Grand Chapter and selected officers with only **seventeen** present, yet they elected **thirty-three** officers," to thereby continue the onus of proof on him and to render further observations presently unnecessary.

With respect to the Grand Z's statement that "they elected thirty-three officers, it will be masonically noticed and accepted that the Grand Chapter had occasion to **elect** only its Grand First, Second and Third Principals, its Grand Superintendents, its two Grand Scribes, its Grand P. S., its Treasurer and Registrar and that the other officers were appointed and that the Grand Chapter of Alberta did nothing more in this regard than their proceedings aver.

To the extent therefore that these statements of the Grand Z. have prejudiced or are likely to prejudice or have misled or are likely to mislead, they should, it would appear, be either better established or withdrawn.

Thirdly, the Grand Z. in his address at Page 19, says:—

"The Appendices Nos. 2 to 20 give copies of all the documents such as circulars and letters, explanatory of what was done on the 29th May and since, and show fully how the warrants, regalia, moneys and property of several Chapters were removed and appropriated by the seceders, although they knew or should have known that such action was most reprehensible."

and again at Page 19:—

"Yet in the face of their obligations, not only have they, led by Taylor, broken down the door leading to a Chapter room while the body was in session, but our warrants, books, records, paraphernalia, moneys and property have been removed. The following extract from the return sent in by Bekah Chapter, No. 176, as to 31st December last, shows the position which several of our Chapters occupy at present from this cause:

'Cannot tell how many members 12 months in arrears, as not in possession of our books.

'Assets—Cash securities, also property belonging to us is in possession of a Chapter under G.R.A. and beyond our control.

'Cannot tell amount of dues outstanding. We have not come into possession of our books."

and proceeding further at page 20 the Grand Z. says:—

"This reorganized Chapter had a membership of 26 on 31st December last, with 9 petitions accepted. It may be well to mention here that this Chapter (Bekah) was not aware of the proposed action, never passed a resolution in favor of a Grand Chapter for Alberta, yet the First Principal without authority, voted at the Convention and was allowed to do so without such authority";

and at Page 25:—

"It may be added that these charters of the seceding Chapters have been seized by the rebels, as well as the Chapter property, paraphernalia and funds."

A denial of any such conduct by the Companion named and by all other Companions who by implication have been so charged under the terms "seceders," "rebels," "breakers down of doors," at once places a very important fact at issue.

This issue as understood and discussed in Alberta (apart from perhaps less than a half dozen over-zealous Companions, including and surrounding the well-known author of the unsigned Appendix No. 5 to the Grand Z's address), is unattended with any such extreme language or bitterness as is found breathing from many pages of the Grand Z's address and even by the time that language reaches the seat of the so-called revolt and rebellion it has lost much of its sting. Neither in the pleadings nor in the evidence at the trial of the civil action over the right to the possession of the regalia and other property was there any bitterness or ill-feeling.

Aside from the attempt on the part of less than a half dozen, including the Plaintiffs in the two civil actions to intimidate and embarrass by threatened proceedings of various sorts, the matter of the property has been little discussed and is of small moment in Alberta. What these Plaintiffs really wanted and demanded was an admission of guilt or wrong-doing rather than the property. The answer to these demands—and the attitude of the new custodians was that while there might be a question of the property following the majority of the Companions in the transfer of the Chapters' allegiance to the new Grand Chapter, unless and until the charges in the method of acquiring them were either pressed or withdrawn, there could be no discussion in that regard.

Since all the pleadings, proceedings and evidence in the action of Lindsay vs. Empey et al, for the recovery of the property are now of public record, they are open to all concerned to satisfy themselves as to the fact that they are absolutely silent in point of charges laid by the Grand Z. of the Grand Chapter of Canada to the door of Companion Taylor and others, in their method of acquirement other than by following in the course of transition of allegiance to the custody of the three First Principals of the same Chapter under another Grand Chapter. The judgment of the civil court speaks for itself.

The Grand Z's statement that "It may be pointed out that this Chapter (Bekah) was not aware of the proposed action, never passed a resolution in favor of a Grand Chapter for Alberta, yet the First Principal without authority, voted at the convention and was allowed to do so without such authority" has already been shown to be untrue by the authority of that Chapter which has been hereinbefore quoted in extenso and which was produced and read at the Convention and which is an authenticated exhibit in the above trial.

It should also be noted in this connection that at page 15 in the opening remarks of the Grand Z under the heading of "The Alberta Revolt," he says:

"After several abortive attempts to form a Grand Chapter in that Province, on the 29th May last, at a convention called by the First Principals of eight out of fourteen Chapters, two of whom, at least, were not authorized to do so by their respective Chapters, and more may have been in the same position, while one was instructed not to consent to such formation without the consent of the Grand Chapter of Canada, a resolution to form a Grand Chapter was adopted, as alleged, by a vote of five Chapters to four";

and it should also be noted that Appendix 2 to the Grand Z's address, is a notice calling the convention "for the purpose of acting together in the erection of an Independent and Supreme Grand Royal Arch Chapter in and for the Province of Alberta," which was signed by the First Principals of eight out of the eleven warranted Chapters and that that notice is signed by J. S. Lambert, First Principal of Bekah Chapter No. 176, and it will still be borne in mind that the remaining three of the 14 Chapters were under dispensation. It would be interesting to know the other Chapter the Grand Z. had reference to in order that its authority might be settled as unmistakably as has been the case of Bekah Chapter.

Fourthly:—At page 18 of the address of the Past Grand Z. of the Grand Chapter of Canada, he says:—

“The fourteen Chapters we had in the Province last May were:—

Alberta, No. 106, Calgary.	Otuskwan, No. 179, Calgary.
Mt. Horeb, No. 172, Wetaskiwin.	Calgary, No. 189, Calgary.
Bow Valley, No. 188, Gleichen.	Capital City, U.D., Edmonton.
Keystone, U.D., Red Deer.	Assiniboia, No. 126, Medicine Hat.
Vermilion, U.D., Vermilion.	Golden West, No. 159, High River.
Shekinah, No. 158, Lethbridge.	Kether, No. 177, Pincher Creek.
Bekah, No. 176, Macleod.	
North Star, No. 118, Edmonton.	

The fourteen Chapters we now have are:—

Alberta, No. 106, Calgary.	Capital City, U.D., Edmonton.
Assiniboia, No. 126, Medicine Hat.	Vermilion, U.D., Vermilion.
North Star, No. 118, Edmonton.	Tau Cross, U.D., Claresholm.
Shekinah, No. 158, Lethbridge.	Bekah, No. 176, Macleod.
Golden West, No. 159, High River.	Otuskwan No. 179, Calgary.
Kether, No. 177, Pincher Creek.	Keystone, U.D., Red Deer.
	Hillvue, U.D., Hillcrest.
	Mt. Olivet, U.D. Killam.”

An analysis of this statement shows that of the last mentioned fourteen Chapters, there were the following:—

Tau Cross, U.D., Claresholm	} which had been formed since the 29th May, 1914.
Hillvue, U.D., Hillcrest.	
Mt. Olivet, U.D., Killam.	

there were the following—

Alberta, No. 106, Calgary.	} whose warrants had been declared null and void and whose warrants are claimed to have since been reinstated.
Otuskwan, No. 179, Calgary.	
North Star, No. 118 Edmonton.	
Bekah, No. 176, Macleod.	

and the remaining seven Chapters, namely:—

Keystone, U.D., Red Deer.	} were the warranted Chapters or Chapters Under Dispensation previously formed who continued to claim allegiance under the Grand Chapter of Canada.
Vermilion, U.D., Vermilion.	
Shekinah, No. 158, Lethbridge.	
Capital City, U.D., Edmonton.	
Assiniboia, No. 126, Medicine Hat.	
Golden West, No. 159, High River.	
Kether, No. 177, Pincher Creek.	

If the Grand Chapter of Alberta was regularly formed and was after the 29th May, 1914, in rightful possession of the territory known as Alberta, it will not be contended that the Grand Chapter of Canada had any greater right to erect subordinate Chapters within the Province of Alberta than any other Grand Chapter. The Grand Z. himself recognized this position and quotes authority in support of it at page 22, as follows:—

“In Appendix 8 I quote from Dr. Mackay, a recognized Masonic authority, who thus defines what occupied territory is: ‘A state or kingdom where there is a Grand Lodge organized and subordinate lodges working under it is said to be occupied territory, and by the American and English law all other Grand Lodges are precluded from entering in and exercising jurisdiction.’ ”

Further, if the Grand Chapter of Alberta was regularly formed on the 29th May, 1914, it is at least questionable if the Grand Chapter of Canada had power to reinstate or issue new warrants to Chapters

the original warrants of which by the Grand Chapter of Canada had been declared to be inoperative and without authority and had been stated by the Grand Scribe E. in his circular of July 17, 1914, as null and void (the action of the Grand Z. and Grand Scribe E. herein having been adopted by the Grand Chapter of Canada in adopting the Grand Z's address) for the reason that it is at least debatable as to whether a warrant which has been declared by a competent or governing body to be null and void may by the same body be afterwards declared good and valid. It would perhaps be different if the Grand Chapter of Canada had simply suspended or declared voidable the warrants of the several Chapters. In that case they might properly have been reinstated by and under the Grand Chapter of Canada despite the fact of the erection of the superseding Grand Chapter; but in the face of a superseding Grand Chapter, if it be regular, it might well be argued that a re-establishment of those chapters whose warrants had been so declared null and void could not be effected at all, or if at all only by way of petition and dispensation de novo, according to the well recognized Masonic law governing the formation of new Chapters, and since this must necessarily have taken place subsequent to the formation of the Grand Chapter of Alberta, the Grand Chapter of Canada with respect to those Chapters reinstated would be in the same position as with respect to Tau Cross, Hillvue and Mount Olivet Chapters, which have been granted dispensations since the 29th May, 1914. And if this view of Masonic law is tenable, it would follow that there are but seven Chapters in Alberta presently under the Grand Chapter of Canada and it would also follow that the Companions of those Chapters formed by the Grand Chapter of Canada since the 29th May, 1914, as well as those of the Chapters whose warrants purport to have been reissued are not regular.

The above observations become at once pertinent in view of the attitude assumed by Companions of Alberta Chapter, No. 106, and Otuskwan Chapter, No. 179, in a notice recently published in the Calgary Daily papers:—

#### NOTICE.

"The Royal Arch Masons, Alberta Chapter, No. 106, meets in the "Masonic Temple, Alexander Corner, on the first Wednesday of each "month; Otuskwan Chapter, No. 179 meets in Masonic Hall, Seabloom "Block, East Calgary, on the first Thursday of every month. Any "other bodies claiming to operate as Royal Arch Masons in this City "are irregular, spurious and clandestine."

Alberta Chapter is one of the Chapters whose warrants were declared null and void and which is operating under a new warrant issued by the Grand Chapter of Canada. This is also the Chapter whose First Principal, Dr. N. J. Lindsay, brought action against the principal officers of Alberta Chapter, No. 1, on the Grand Register of Alberta, for return of property, regalia, etc.

In the statement of claim, Page 3, they aver:—

9. "The Defendants wrongfully neglect and refuse to return the "said property after demand made therefor.
10. "Section 79 of the Constitution of the Grand Chapter of Canada provides as follows:—  
"If the majority of members withdraw from a Chapter the power of Assembly exists with those remaining, provided their number be not less than nine; but if less than nine remain, the Chapter becomes extinct and its warrant, records and property revert to Grand Chapter."
11. "The Defendants by their transfer of allegiance to the Grand "Chapter of Alberta withdrew from Alberta Chapter, No. 106.
12. "After withdrawal of the Defendants and others there remained more than nine members who assembled and elected "new officers of whom the Plaintiff is the first principal officer.

**"THE PLAINTIFF CLAIMS FROM THE DEFENDANTS:**

- "(1) An accounting by the defendants of the property of Alberta Chapter, No. 106, taken and retained by them or by their authority.
- "(2) A return of the said property.
- "(3) \$100, general damages.
- "(4) In the alternative, payment, besides general damages for "value of the said property amounting to \$1,500. besides the money and "any moneys collected on the said mortgages.
- "(5) An injunction restraining the defendants from using the said "property and from collecting any moneys on the said mortgages.
- "(6) Costs of this action.
- "(7) Such further and other relief as the nature of the case may "require."

and in support of that plea, they produced in Court and filed as Exhibit 22, the following Petition:—

"Calgary, March 17th, 1915.

To the Grand Z., Officers and Members of the  
Grand Chapter of Canada, Royal Arch Masons:

We, the undersigned, Royal Arch Masons of the Province of Alberta, do hereby acknowledge the supremacy of the Grand Chapter of Canada, R.A.M., in and for the Province of Alberta, and our allegiance thereto and desire to be placed in good standing on the books of the Grand Chapter of Canada."

This petition was signed by thirteen members. Alberta Chapter at that time had a membership of 250.

Having discussed a number of the essential or governing facts leading up to and including the formation of the Alberta Grand Chapter, there still remains to be discussed the challenge to the Legal Masonic Status of the Grand Chapter of Alberta.

Upon the establishment of this challenge will not only depend recognition or discountenance by other Grand Chapters, but the cessation of certain private Chapters in Alberta calling and advertising in newspapers that other private Chapters within the Province are "spurious," "irregular," and "clandestine."

So much has already been written and is to be found in foreign correspondence of other Grand Chapters pronouncing in favor of the legality of the proceedings and the regularity of the formation of the Alberta Grand Chapter and its consequent legal status, one shrinks from adding still more and in doing so, might plead in extenuation the fact that but a very small portion of the foreign correspondence in the ordinary course of events, finds its way into the hands of the large number interested in the outcome.

Whether obtaining consent of the Grand Chapter of Canada was or was not an essential step or condition precedent to the legal formation of the Grand Chapter, it would have been a thousand times better if consent had been asked even though it should have been refused and the lack of that courtesy may not be justified even though it may not be a necessary step or condition precedent to the legality of the Alberta Grand Chapter.

Perhaps the best authority or precedent one can offer on a question of Masonic jurisprudence is an authority or precedent previously recognized by one's opponent. The Grand Chapter of Canada itself is authority for and the proceedings of that Grand body in the year 1870 contain the following statement of Masonic law governing the right of the formation of a Grand Chapter:

**"WHERE THERE IS A GRAND LODGE, A GRAND CHAPTER MAY  
OF RIGHT FOLLOW.**

The language of T. Douglas Herrington, 33, the Grand Z., of the Grand Chapter of Canada in that regard, being as follows:—

"Since our last Annual Convention, the Grand Chapter of Nova Scotia has been formally organized and although I could not help thinking the action somewhat premature, considering the small number of Chapters existing in that Province, yet acting on my conviction that where there is a Grand Lodge, a Grand Chapter may of right follow, I had no hesitation about acknowledging the "GRAND CHAPTER OF NOVA SCOTIA" and wishing that body all success and prosperity."

Right Excellent Companion John S. Brown, on behalf of the Executive Committee, submitted the following report on the address of the Most Excellent, the Grand Z:—

"We beg respectfully to support the opinion and argument on which the M. E. First Principal bases his recognition of the Grand Chapter of Nova Scotia, viz.—'THAT WHERE THERE IS A GRAND LODGE, A GRAND CHAPTER MAY OF RIGHT FOLLOW.' We trust, therefore, you will join with us in extending the right hand of fellowship to our young sister, and unite with us in wishing her every prosperity and a long and continued career of success and usefulness"; and the following extract from the proceedings of the Grand Chapter of Canada for 1870, under the heading "Nova Scotia," contains the following:—

"We heartily welcome our young sister into the family of Grand Chapters and trust she may have a long and prosperous career of usefulness. We also hope that this action will thoroughly unite all the Craft in our sister Province."

In the address of the same Grand Z. of the Grand Chapter of Canada for the year 1871, we find these words:—

"I would probably have been silent on the subject only that as the principle of having a Grand Lodge for each Province of the Dominion has, we all know, been in a measure acknowledged and assented to, it really becomes simply a question of time as to the formation of separate Grand Chapters, and when the limit of our jurisdiction will be still more curtailed. It is the wisest course to look this contingency full in the face, and when that time does arrive, carry out the change in a truly Masonic and fraternal way—giving and receiving, bearing and forbearing, making mutual concessions if needful, and avoiding heartburnings and strife, scorning wordy warfare, but wishing instead God speed and prosperity to all concerned."

The only comment on this authority or precedent found in the address of the Past Grand Z, Judge MacWatt, is to be found on page 21:—

"This Grand Chapter never claimed jurisdiction over New Brunswick or Nova Scotia, hence when these Grand Chapters were formed we had no claim and did not present any."

Surely the Grand Z. would not seriously urge that one has to be a party to a proceeding to be bound by the precedent which it establishes! It would indeed be a strange tribunal that would decline to follow a leading and binding case or authority because neither of the parties before that tribunal was a party to the case cited.

It would therefore appear to be settled Masonic law and recognized by other Grand Chapters, including the Grand Chapter of Canada itself, that there having been established a Grand Lodge in the Province of Alberta, that a Grand Chapter within the Province of Alberta might as a matter of right follow and that therefore the question of consent at most is a matter of courtesy in procedure, and not an essential or a condition precedent.

It may be and indeed is a courteous and graceful thing for one to say to his banker: "Please honor the cheque presented for payment"; but if the drawer of the cheque, as a matter of right, is entitled to have it honored, it would scarcely be expected that one should find it dishonored because of the lack of even recognized courtesy.

Fraternally Submitted as Material, by—

A WORKMAN FROM THE QUARRIES.



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